

MEETINGS TO DATE 14
NO. OF REGULARS 13
NO. OF SPECIALS 1

LANCASTER, NEW YORK
JULY 1, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 1st day of July 1985, at 8:20 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ELEANOR D. KUCHARSKI, DEP. TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR

COMMITTEE REPORTS: ACTIONS AND DIRECTIVES:

Councilman Giza reported that he had been approached regarding the possibility of air conditioners being installed at the Lancaster Senior Citizens Center.

Supervisor Keysa directed Councilman Giza to look into the wiring at the Center to see if it is adequate for air conditioners.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT;

RESOLVED, that the minutes from the meeting of June 17, 1985, as
presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD TO WIT:

WHEREAS, SHUR-LINE MFG. COMPANY, INC. was established in 1953 within the municipal boundaries of the Town of Lancaster for the manufacture and sales of a newly developed and patented painting tool known as the "SHUR-LINE 2-Wheel Paint Edger", and

WHEREAS, the SHUR-LINE MFG. COMPANY, INC. presently encompasses a marketing area of the continental United States, Canada, Australia and, to some small extent, Free Europe, and

WHEREAS, in 1983 it became evident that the continued growth of this company mandated a major building program and possible relocation outside of the municipal boundaries of the Town of Lancaster, and

WHEREAS, the management of SHUR-LINE MFG. COMPANY, INC. opted to relocate within the municipal boundaries of the Town of Lancaster, specifically on a 7.5 acre tract of land in the newly developed Lancaster Village Industrial Park, thus preserving local employment of approximately 85 people, and preserving valuable assessment upon the tax rolls of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster extends its highest commendation to the SHUR-LINE MFG. COMPANY, INC., its offices, directors and stockholders for their valued contributions to the economy of the Town and Village of Lancaster over the past 32 years, and tenders to them their sincere hopes for future success and development at their new corporate facility located in the Lancaster Industrial Park.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

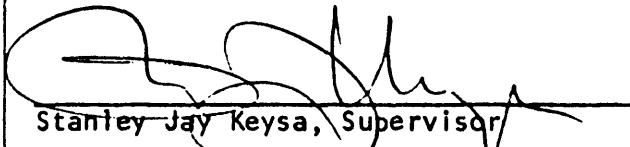
COUNCILMAN KWAK VOTED YES

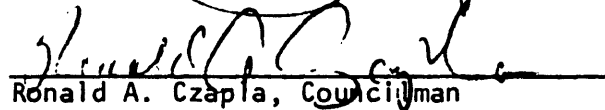
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

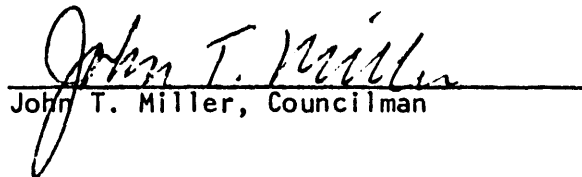
July 1, 1985


Stanley Jay Keysa, Supervisor


Ronald A. Czapla, Councilman


Robert H. Giza, Councilman


Donald E. Kwak, Councilman


John T. Miller, Councilman

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated June 17, 1985, notified the New York State Disaster Preparedness Commission of its intent to forego preparation of local plans and to work with County Officials in the development of the County-wide plan for snow emergency, and

WHEREAS, the New York State Emergency Management Office has advised the Town of Lancaster of the need for adoption of a different resolution, and the Town of Lancaster therefore wishes to rescind the prior resolution and adopt a resolution in place thereof, and

WHEREAS, the New York State Executive Law, Article 11B, Section 28a calls for political subdivisions to comply with certain local recovery and redevelopment plans, and

WHEREAS, it is the considered opinion of this board that such a plan would be impractical and unnecessary under the circumstances relating to the Blizzard of January '85 and the Governor's declaration effective January 19, 1985,

NOW, THEREFORE,

BE IT RESOLVED as follows:

1. That the Town Board of the Town of Lancaster hereby rescinds the resolution dated June 17, 1985, notifying the New York State Disaster Preparedness Commission of its intent to forego preparation of plans and to work with County Officials in the development of the County-wide plan for snow emergency, and

2. That the Town Board of the Town of Lancaster hereby notifies the New York State Disaster Preparedness Commission of its intent to forego preparation of any such local plans in accordance with Section 28a, Article 11B, New York State Executive Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board must make certain alterations to town-owned buildings relative to handicapped barrier removal to meet Federal law, and

WHEREAS, Donald Gallo, Consulting Engineer, has submitted a proposal to provide engineering services on said project, and

WHEREAS, the Town Attorney has reviewed the proposed contract submitted by Donald Gallo, Consulting Engineer,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to execute the agreement with Donald Gallo, Consulting Engineer, retaining him as engineering consultant on said handicapped barrier removal project.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated June 19, 1985, has requested the confirmation of two new members duly elected to the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

Peter Gaglio
131 Ransom Road
Lancaster, N.Y.

Robert James Charvat Jr.
862 Town Line Road
Alden, N.Y.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, Section 5.202.5 of the Election Law of the State of New York, provides for consolidation of Election Districts for the purpose of registration of voters, and

WHEREAS, the Town of Lancaster consolidated polling places for the years 1979 through 1984, thereby resulting in a substantial cost savings to the taxpayers of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby directed to contact the Erie County Board of Elections and request authorization from the Erie County Board of Elections for the consolidation of twenty-six (26) polling places within the Town of Lancaster for the October 1985 Registration of Voters into a single place of registration, that is, namely the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC., and TWIN DISTRICT
VOLUNTEER FIRE COMPANY, INC. have previously entered into into contracts with
the Town of Lancaster to furnish fire protection within the Town of Lancaster,
which contracts will, according to their respective terms, expire on
December 31, 1985, and

WHEREAS, the respective fire companies heretofore mentioned have
received lesser amounts of moneys from the Town of Lancaster for the contract
year 1985 than in prior years, due to implementation of a previously agreed
upon formula between the Town Board and the fire comp nies providing service
to the Town of Lancaster, and

WHEREAS the reduction in funds under the contract has caused concern
over the continuation of the same high level of service, and

WHEREAS, the Town Board of the Town of Lancaster and Millgrove
Volunteer Fire Department, Inc. and Twin District Volunteer Fire Company, Inc.
have consented to negotiate a new contract for these respective fire companies
pursuant to Section 184 of the Town Law, and

WHEREAS, pursuant to Section 184 of the Town Law, a Public Hearing is
necessary before any change may be made in such contracts,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 184 of the Town Law of the State
of New York, separate public hearings will be held on the 15th day of July,
1985, in accordance with the following schedule:

8:10 o'clock P.M., Local Time	- Millgrove Volunteer Fire Department, Inc.
8:20 o'clock P.M. Local Time	- Twin District Volunteer Fire Company, Inc.

and that notice of such hearings shall be published in the Lancaster Bee on the
3rd day of July, 1985, and be posted onthe Town Bulletin Board, which Notice

shall specify the time and place of said separate hearings, and describe in general terms the proposed separate contracts and said Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 1st day of July, 1985, the said Town Board will hold separate public hearings on the 15th day of July, 1985, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in accordance with the following schedule:

8:10 o'clock P.M. Local Time	- Millgrove Volunteer Fire Department, Inc.
8:20 o'clock P.M. Local Time	- Twin District Volunteer Fire Company, Inc.

for the purpose of hearing all interested persons for or against the termination of the existing fire protection contracts between the Town of Lancaster Fire Protection District and Millgrove Volunteer Fire Department, Inc., and Twin District Volunteer Fire Company, Inc., and new contracts in lieu thereof to be entered into by and between said parties to provide for an increase in funds from the Town of Lancaster Fire Protection District to the minimum level of funds as provided in the contract year 1984, in accordance with Section 184 of the Town Law, for fire protection to be furnished by said fire companies to the Fire Protection District established in the Town of Lancaster, upon the following general terms, to wit:

- A. Each Fire Company shall answer and attend upon all calls in said Fire Protection District, and provide emergency first aid, rescue and emergency transportation service as defined in Section 184 of Town Law, and Section 209-b of the General Municipal Law, in that territory described in said proposed contract filed in the Town Clerk's Office.
- B. Contracts shall commence January 1, 1985 and terminate December 31, 1987.
- C. Provide for amending the contract for the contract years 1986 and 1987 in the event the following formula would provide a greater amount of consideration to said fire companies during either of said years:
 - 1) Multiply (\$205,118 plus percentage of increase) times respective percentage of assessed value of primary area of fire protection;
\$205,118 is the base amount established for the entire fire protection district for the fiscal (and calendar year 1985 (before adjustments);

- 2) "Percentage of increase" means that rate of increase, if any, expected to be negotiated with the Bowmansville Volunteer Fire Association, Inc. and the Town Line Vol. Fire Department, Inc. for the contract years 1986 and 1987.
- 3) Respective percentage of assessed value of primary area of fire protection, means that portion or percentage of the entire fire protection district which is covered on a primary basis by the Millgrove Volunteer Fire Dept., Inc. and Twin District Volunteer Fire Company, Inc., according to previously established boundaries. The assessed valuation for each respective year, both as to the primary area and the full fire protection district, shall be determined by the final real property tax roll established as of June 1st in the year preceding the contract year, as may be modified by the Town's Assessment Board of Review or court action finalized prior to December 31st of the year preceding contract year.
- 4) Contract year shall mean the period of January 1st to December 31st.

D. Provide consideration as follows:

Millgrove Vol. Fire Dept., Inc. - \$11,550, which sum is the amount heretofore paid for the contract year 1984, Said payment for the contract year 1985 shall be made in the sum of \$10,071.29 on or before May 1, 1985, and that the further sum of \$1,478.71 be paid on or before November 1, 1985.

Twin District Vol. Fire Company, Inc. - \$48,408.00, which sum is the amount heretofore paid for contract year 1984, Said payment for the contract year 1985 shall be made in the sum of \$38,316.04 on or before May 1, 1985, and that the further sum of \$10,091.96 be paid on or before November 1, 1985.

E. Such other incidental terms as may be necessary or proper in connection with such contracting.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT;

WHEREAS, the Assessor of the Town of Lancaster, by letter dated June 26, 1985, has requested authorization to have himself and Thomas Kunz, the Real Property Appraisor of the Town of Lancaster, attend the Cornell Seminar sponsored by the New York State Division of Equalization and Assessment and the New York State Assessors' Association, from August 4, 1985 through August 9, 1985, in Ithaca, New York,

NOW, THEREFORE, BE IT

RESOLVED, that MALCOLM J. FRANCIS, the Assessor of the Town of Lancaster and THOMAS KUNZ, the Real Property Appraisor of the Town of Lancaster, be and are hereby authorized to attend the Cornell Seminar to be held in Ithaca, New York from August 4, 1985 through August 9, 1985, and

BE IT FURTHER

RESOLVED, that:

1. a check to be drawn on the Town of Lancaster General Fund to the New York State Assessors' Association for the cost of tuition and housing in the amount of \$360.00 for each,

2. reimbursement for meals not to exceed \$180.00 each (which must be accompanied by itemized receipts upon submittal of voucher), and

3. reimbursement for mileage at a rate of \$.205 per mile not to exceed \$75.00 for Malcolm J. Francis only,

be and hereby are authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the New York State Executive Law, Article 11B,
Section 28a calls for political subdivisions to comply with certain local
recovery and redevelopment plans, and

WHEREAS, it is the considered opinion of this board that such a
plan would be impractical and unnecessary under the circumstances in the
Presidentially declared flooding disaster - FEMA 734 DR NY - and the
Governor's Declaration of February 23, 1985 pertaining to same flooding
conditions,

NOW, THEREFORE, BE IT

RESOLVED, that this board notifies the New York State Disaster
Preparedness Commission of its intent to forego preparation of any such
local plans, and to work with appropriate local, state and federal agencies
in the development of a plan which may be appropriate to our circumstances
and need based on any prior and future studies by the various local, state
and federal authorities and funding appropriations for same.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated June 27, 1985, has recommended the appointment of JOSEPH S. LIPTAK to the position of tutor for the Youth Bureau's Tutorial Program, which is part of the Youth Services Budget, due to the resignation of Jill Schiffler,

NOW, THEREFORE, BE IT

RESOLVED, that JOSEPH S. LIPTAK, 15 Muskingum Street, Depew, New York 14043, be and is hereby appointed to the position of Tutor, part-time temporary, for work with the Town of Lancaster Youth Bureau in their Tutorial Program, at an hourly rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED

COUNCILMAN GIZA VOTED

COUNCILMAN KWAK VOTED

COUNCILMAN MILLER VOTED

SUPERVISOR KEYSA VOTED

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 8210 to 8276 Incl.	\$ 98,847.16
Part Town Fund	No. 1247 to 1255 Incl.	\$ 8,894.55
Highway Fund	No. 2946 to 2953 Incl.	\$ 18,264.16
Trust & Agency Fund	No. 944 to 959 Incl.	\$ 37,659.44
Capital Fund	No. 747 to 747 Incl.	\$ 48,764.00
Community Development Fund	No. 1217 to 1218 Incl.	\$ 1,016.40
Improvement Facilities Sewer Dist. No. 2	No. 167 to 169 Incl.	\$ 45,226.63

and,

BE IT FURTHER

RESOLVED, that the claim of Gypsum Services, for \$166.40 be and is
hereby approved and the Supervisor be and is hereby ordered to submit this
claim for payment from Community Development Project No. 438313, Senior
Citizens Center, and

BE IT FURTHER

RESOLVED, that the claim of Today's Advertising, for \$850.00, be
and is hereby approved and the Supervisor be and is hereby ordered to submit
this claim for payment from Community Development Project No. 439313, Ind.
Dev. Map Up-Dates.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
 hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
109	Walter Szczublewski	278 Westwood Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
110	Kimmins Corp.	6635 Transit Rd.	DEM. FR. BRK. VEN. MOTEL
111	Harry Marinelli	22 W. Home Rd.	EXT. SIN. DWLG
112	M/M Mark D'Agostino	775 Schwartz Rd.	ER. SHED
113	Family Builders Inc.	722 Pavement Rd.	ER. FR. PVT. GARAGE
114	Robert & Diane Seeley	243 Warner Rd.	ER. FENCE
115	Josela Enter.	12 Old Schoolhouse Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
116	M/M Daniel Latello	33 Brunck Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
117	MTD Tool Supply	140 Pavement Rd.	EXT. CONCRETE BLK. STOR. BLDG, OFF. BLDG
118	M/M James Horrigan	5590 Genesee St.	ALT. BRK. SIN. DWLG
119	Sectional Garages	124 Westwood Rd.	ER. FR. PVT. GARAGE
120	M/M Kolklewicz	314 Westwood Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
121	M/M Zika	168 Peppermint Rd.	EXT. FR. SIN. DWLG
122	M/M Roy Bennett	5298 William St.	EXT. SIN. DWLG, PATIO
123	M/M James Cwick	17 Deerpath Dr.	EXT. PATIO
124	M/M Jerome Kupiec	5240 William St.	EXT. PATIO
125	Vincent & Doris LaForest	139 Brunck Rd.	ER. FENCE
126	Anthony P. Guadagna	5379 Genesee St.	ER. SIGN
127	M/M Wm. Binlszkiewicz	619 Lake Ave.	ER. FR. SHED

and,

BE IT FURTHER

RESOLVED, that authorization for Building Permit No. 107, Issued to
 Ralph White, 14 Redleln Drive, Lancaster, New York, on June 17, 1985, be and
 is hereby rescinded, as per request of the permittee to the Town Clerk on
 July 1, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to undertake a project for the removal and replacement of sidewalks on Glendale Drive and Parkdale Drive in the Town of Lancaster, and

WHEREAS, funding therefor has been heretofore committed through Community Development Funds, and

WHEREAS, engineers have been retained for the drawing of specifications and plans therefor, which have been filed with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids will be received by the Supervisor of the Town of Lancaster on the 29th day of July, 1985, at 4:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of removal and replacement of sidewalks on Glendale Drive and Parkdale Drive in the Town of Lancaster, in accordance with plans and specifications on file in the Town Clerk's Office;

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee, the Official Newspaper of the Town of Lancaster, and the following publications for one such publication:

The Challenger
1303 Fillmore Ave.
Buffalo, N.Y. 14211

Call Post
1949 E. 105th St.
Cleveland, Ohio 44106

Buffalo News
One News Plaza
Buffalo, N.Y. 14203

Communicade
P.O. Box 7933
Rochester, N.Y. 14606

and post notices thereof as required by Town Law of the State of New York, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, and read aloud by the Supervisor of the Town of Lancaster on the 29th day of July, 1985, at 4:00 o'clock P.M., Local Time, in the Town Hall, 21 Central Avenue, Lancaster, New York for the removal and replacement of sidewalks on Glendale Drive and Parkdale Drive.

All the proposals will be received in accordance with the Contract Documents and specifications prepared by Hrehbiel Associates, Inc., for the Town of Lancaster, a copy of which is on file with the Town Clerk at his office in the Town Hall, Town of Lancaster, 21 Central Avenue, Lancaster, New York, where the same may be examined during their usual business hours.

Copies of the contract documents required for review or bidding purposes may be obtained at the offices of Krehbiel Associates, Inc., 1868 Niagara Falls Boulevard, Tonawanda, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town of Lancaster, and who also returns the documents in good condition to the Engineer within thirty (30) days after bid security has been returned to him. Equipment manufacturers, contractors, sub-contractors, and others who do not submit formal proposals to the Town will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30)-day period.

Each proposal must be accompanied by a certified check, payable to the Town of Lancaster, or bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount not less than 10% of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the Contract.

The Town of Lancaster reserves the right to waive any informalities in and to reject any or all bids submitted.

Attention of the bidders is called to the requirements for conditions of employment to be observed and minimum wage rates to be paid, and requirements pertaining to certification of non-collusion in preparation of bids submitted for this project.

"This Contract will be funded wholly or partially with Federal funds and as such, subject to all Federal rules and regulations pertinent thereto, including, but not limited to, Federal policy of encouraging the participation of minority and women business enterprises as sources of suppliers, equipment, construction and services."

No Bidder may withdraw his bid within thirty (30) days after date of opening.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

July 1, 1985

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, by resolution dated June 17, 1985, the Highway Superintendent of the Town of Lancaster was directed to vacate the East Motor Pool Building at the Lancaster Town Center and remove from it all items of equipment entrusted to the care, custody and control of the Highway Superintendent, as well as certain Recreation Department materials and equipment, no later than 4:00 P.M., July 1, 1985, and

WHEREAS, the said Superintendent of Highways has not complied with said directive,

NOW, THEREFORE, BE IT

RESOLVED, the Supervisor of the Town of Lancaster is hereby authorized and directed to take the necessary steps to implement immediate removal of all materials and equipment of the Highway Department and Recreation Department stored in the East Motor Pool Building at the Lancaster Town Center, by hiring an independent contractor with costs for such action to be charged to the Highway Department and Recreation Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

Councilman Giza requested a suspension of the necessary rule for
Immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by
letter dated July 1, 1985, has recommended the employment of Gary Stoldt to
fill a summer employment vacancy in the Highway Department of the Town of
Lancaster, due to the unavailability of Mark Grazen to fill said position,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of Lancaster
be and is hereby authorized to employ Gary Stoldt, 312 Lake Avenue,
Lancaster, New York 14086 for the period July 1, 1985 to August 30, 1985, in
the Highway Department of the Town of Lancaster, on a temporary basis at an
hourly rate of \$4.00 per hour, conditioned upon certification by the Highway
Superintendent that Gary Stoldt is over the age of 18 years, is duly
enrolled in a course of higher education at the college level and will be
returning to school to pursue said education at the end of the summer
season.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated June 28, 1985, has recommended mid-year salary adjustments for various employees of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to make the following mid-year adjustments, shown on an annualized basis:

<u>Employee</u>	<u>Title</u>	<u>Old Salary</u>	<u>New Salary</u>
John Trojanowsky	Ex. Dir., Youth Bureau	\$19,247	\$20,336
David J. Brown	Dir. of Adm. & Finance	18,158	19,247
Jeffrey H. Simme	Asst. Building Inspector	17,222	18,158
Thomas E. Kunz	Real Prop. Appr. Technician	17,222	18,158

and,

BE IT FURTHER

RESOLVED, that the adjustment for Thomas E. Kunz, Real Property Appraiser Technician for the Town of Lancaster, be and is hereby temporary and contingent upon certain written understandings between the Supervisor of the Town of Lancaster and Thomas E. Kunz.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 1, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
2. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
3. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
4. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
5. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visibility restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
6. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
7. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.

PERSONS ADDRESSING THE TOWN BOARD:

Judy Sobczak, 6 Nichter Road, Lancaster, New York complained to the Town Board about the conditions that have existed on property owned by the United Fire Safety Company on Cemetery Road, Lancaster and also expressed concern over the possibility of this company expanding and creating more undesirable conditions.

Primarily, the complaints were of air pollution created by the burning of boxes and noise pollution created by delivery trucks to the company.

Mrs. Sobczak presented two photographs showing overgrown grass, landfill piled up in the rear of the buildings, and burning of materials which she indicated were all in violation of the Town's Code.

She also presented a copy of the minutes of the Planning Board, dated March 19, 1980, in which a motion was made and seconded to accept the Town Planner's recommendation for a provisional rezone requiring that conditions under Section 50-126 of the Zoning Ordinance be met for this property. A rezone proposal map was also submitted showing a buffer zone comprised of pine trees along the south property line. Mrs. Sobczak stated to the Town Board that there is no buffer zone.

Carol Kostusiak, 179 Cemetery Road, Lancaster, New York expressed concern over possible devaluation of their property if the company expanded to three buildings.

The Supervisor asked Mr. Richard Church, the owner of the property, if he would maintain the property according to the Zoning Code. Mr. Church agreed to this request and there was an indication from Councilman Kwak that the property had been cleaned up and the grass mowed.

The Supervisor, at this time, informed Mrs. Sobczak that the Town Board will review the site plans presented and make a recommendation at the next Town Board meeting to be held July 15, 1985.

COMMUNICATIONS:DISPOSITION

465. Town Clerk to Highway Supt. -
Transmittal of resolution directing
vacating of East Motor Pool building
by 7/1/85.
466. Town of Concord to County Executive -
Transmittal of resolution opposing County
assistance in building/operation of base-
ball stadium.
467. N.Y.S. Public Service Comm. to Town Clerk -
Update on procedures to be taken by Reserve
Gas Co.'s non-exclusive franchise.
468. Town Clerk to Planning Board -
Transmittal of rezone petition as filed
by Paul & Florence Marinaccio.
469. Town Clerk to Chair., Lancaster Republican
Inspectors -
Reply to letter concerning access to Bowen
Rd. Historical Building for infirm, elderly
and handicapped.
470. NYSDOT to Town Clerk -
Notification of Town's receipt of funds
under CHIPS during 1985.
471. Town Clerk to John M. Panzarella -
Transmittal of resolution granting variance
petition.
472. Town Clerk to M/M Robert Seeley -
Transmittal of resolution granting variance
petition.
473. County Dept. of Environment and Planning to
Supervisor -
Request extension of lease which expires
7/86 for additional five years.
474. Supervisor to Lancaster Task Force Against
Youthful Drug and Alcohol Abuse -
Reply and comments regarding vandalism in
Como Park.
475. Supervisor to County Dept. of Environment
and Planning -
Request evaluation report at next Sewer
Board meeting on mud slide in proximity
of Oakwood Ave.
476. Fox & Co. to Supervisor -
Summarization of law regarding use of
Town owned vehicles.
477. St. Mary's H.S. Varsity Club to Supervisor -
Request permission for walk-a-thon on
10/5/85.
478. The PROPHIT, Newsletter of the Industrial Forum
of Eastern Erie County -
Article entitled "Insurance Crisis."
479. Fox & Co. to Supervisor -
Description of accounting method promulgated
by N.Y.S. Dept. of Audit and Control.

SUSPENDED RESOLUTION

R & F

TOWN ATTORNEY

R & F

BLDGS. COMM.BUDGET COMM.

R & F

R & F

BUDGET COMM.

R & F

R & F

SUPERVISORPOLICE CHIEF

R & F

SUPERVISOR

COMMUNICATIONS CONT'D.:DISPOSITION

480. Iroquois Central School to Supervisor - Notification of two filled Board positions.	R & F
481. Assoc. of Erie County Gov't's to Supervisor - Notice of meeting to be held 6/27/85 in Brant and minutes from meetings held 5/23/85 and 4/25/85.	R & F
482. RGE to Supervisor - Notice of briefing on spent fuel return project to be held in Rochester on 6/27/85.	SUPERVISOR
483. C.I.D. Refuse Service and C.I.D. Landfill, Inc. to Supervisor - Invitation to attend open house in Chaffee on 7/19/85.	SOLID WASTE COMMITTEE
484. Supervisor to Police Chief - Confirmation of use of "Prast" building by police department.	R & F
485. Town Clerk to Planning Board - Transmittal of supplemental data relative to rezone petition of Harold J. Zoerb.	R & F
486. Supervisor to N.Y.S. Public Employee Occupational Safety and Health Hazard Abatement Board - Request information relating to Town Hall citations.	SUPERVISOR
487. Supervisor to State Cultural Education Center - Assurances connected with Lancaster Library grant.	R & F
488. Supervisor to Town Board - Comments pertaining to OSHA violations.	R & F
489. Supervisor to Supt., Lancaster Schools - Explanation regarding Highway Supt.'s lack of cooperation in voting machine delivery procedures.	R & F
490. Town Attorney to Chair., Insurance Committee - Request meeting to discuss renewal of insurance.	INSURANCE COMMITTEE
491. Town Line V.F.D. to Town Clerk - Recommendation of two new members to active roster.	R & F
492. Erie & Niagara Counties Reg. Planning Board to Supervisor - Notification of public hearing on 7/9/85 at Alden Sr. H.S. regarding Statewide Water Resources Management Strategy.	COUNCILMAN CZAPLA
493. State Coalition of Urban Towns of the State of New York - News release entitled "Towns Meet to Plan Hiring Lobbyist."	R & F
494. Supervisor to Mrs. Jane Firestone - Response to letter regarding ditch clearing on Town Line Rd.	COUNCILMAN KWAK
495. Councilman Giza to Lancaster Home Bureau II - List of concerns regarding availability of Town Hall on 6/13/85.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

496. N.Y.S. Div. of Equalization and Assessment to Supervisor - Determination of residential assessment ratio.	R & F
497. Freeway Contracting Co. to Town Board - Request return of bond issued in conjunction with James Moran Dumping Permit.	TOWN ATTORNEY
498. N.Y.S. Dept. of Environmental Conservation to Supervisor - Mining permit application and reclamation report on Pine Hill Concrete Mix Corp.	R & F
499. Building Inspector to Town Board - Suggestion that bond issued in conjunction with James Moran Dumping Permit be held until all stipulations be met.	TOWN ATTORNEY
500. Town Attorney to Town Board - Advisement of no legal impediment in contract terms of Donald Gallo relative to handicapped barrier removal.	R & F
501. Secretary of State to Supervisor - Notification of N.Y.S. Dept. of State's overseeing of code enforcement activities effective 7/1/85.	BLDG. INSP.
502. Supervisor to Assoc. of Towns Secretary - Comments regarding municipal insurance coverage.	R & F
503. <u>Revenue Sharing Bulletin</u> , June 1985 - Article entitled "House passes FY 86 Budget; cuts revenue sharing 25 percent."	BUDGET COMMITTEE
504. Assemblyman Dennis Gorski to Supervisor - Invitation to Municipal Tort Liability and Increases in General Purpose Aid Seminar to be held 7/17/85 at Cheektowaga.	SUPERVISOR
505. Lancaster Post No. 7275 to Supervisor - Request budget increase for Memorial Day 1986.	BUDGET COMMITTEE
506. Supervisor to Town Board - Projection of ECSD No. 4 sewer taxes.	R & F
507. Supervisor to Town Board - Notification of various fund investments during April, May and June 1985.	R & F
508. Supervisor to Highway Supt. - Request action regarding drainage problems of two residents.	R & F
509. Assessor to Supervisor - Request authorization for Assessor and Real Property Appraiser to attend Cornell Seminar from 8/4-9/85 in Ithaca.	RESOLUTION
510. Chair., Buildings Committee to Town Board - Report of meeting held 5/18/85 to discuss future of Sr. Citizens Building on Clark St.	R & F
511. Residents of Cemetery and Nichter Rd. to Town Board - Petition protesting any expansion or erection of buildings on United Fire Safety Co. site.	BLDG. INSP. FOR FOLLOW- UP

COMMUNICATIONS CONT'D.:DISPOSITION

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| 512. Planning Board to Town Board -
Minutes from meeting held 6/5/85. | R & F |
| 513. Youth Bureau to Supervisor -
Recommendation of Joseph Liptak as tutor
to fill vacancy. | RESOLUTION |
| 514. Supervisor to Town Board -
Recommendation of mid-year salary adjustments. | SUSP. RESOLUTION |
| 515. Town Clerk to Zoning Board Members, Building
Inspector and Dep. Town Attorney -
Transmittal of variance petition of
M/M Peter Derkovitz. | R & F |

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -

SUSPENSION GRANTED.

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| 516. Highway Superintendent to Town Board -
Request that Gary Stoldt be approved for
Summer Program in Highway Department. | SUSP. RESOLUTION |
| 517. Town Attorney to Ronald Pokorski, Lanc./Depew
Community Theater -
Renewal of lease for space in building at
Town Center on Pavement Road. | R & F |
| 518. Supervisor to President of Dresser Industries -
Request that Dresser Industries give fair
consideration to offer reported to have
been made by Dr. Ken Lipke. | R & F |
| 519. N.Y.S.Dept. of Environmental Conservation to
Supervisor -
Notification of meetings to be held regarding
"Upstate New York Groundwater Management
Program." | SUPERVISOR |
| 520. Buffalo Suburban Seventh-day Adventist Church
School to Supervisor -
Request that a "School Zone" and low speed
limit be placed in this area on Genesee St. | PUBLIC SAFETY COMM. |
| 521. Pres., Bell Tower Assoc. to Supervisor -
Request for re-evaluation of assessment
of Bell Tower Village. | TOWN ATTY. FOR REPLY |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:30 P.M. out of respect to:

ALBERT MADSON ✓
RICHARD BRANDENBURGER ✓
ROBERT STURM ✓
JONATHAN SIMME

Signed Eleanor D. Kucharski
Eleanor D. Kucharski, Dep. Town Clerk